

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE - KNOXVILLE DIVISION

JAN ENGLISH, MARIE ANDERSON,  
EUGENE BARRIER, and ACCESS NOW,  
INC., a Florida not-for-profit corporation,

CASE NO: 3:03-CV-18 (Phillips)

Plaintiffs,

vs.

THE KROGER CO.,

Defendant.

FINAL ORDER

THIS CAUSE came before this Court upon the Parties Notice of Dismissal With Prejudice and based thereon, it is:

ORDERED AND ADJUDGED that:

Plaintiff, EUGENE BARRIER is hereby dismissed as a party from this action with prejudice. The style of this case shall be amended to reflect this dismissal. This dismissal does not effect the claims of Plaintiffs JAN ENGLISH, MARIE ANDERSON and ACCESS NOW, INC. Each party to bear their own fees and costs as to Eugene Barrier only.

DONE AND ORDERED in Chambers at Knoxville, Tennessee this 4<sup>th</sup> day of OCT, 2005.

*Thomas H. Phillips*

United States District Judge

cc: Gene R. Zweben, Esq.  
Eddie Wayland, Esq.